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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 ALFRED EUGENE MACHADO,

No. CIV S-05-0818 MCE GGH P

12 Petitioner,

13 v.

ORDER

14 THOMAS L. CAREY, Warden,
15 ET AL.,

16 Respondents.
_____ /

17 Petitioner, a state prisoner proceeding pro se, has filed an
18 application for a writ of habeas corpus pursuant to 28 U.S.C.
19 § 2254. The matter was referred to a United States Magistrate
20 Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General
21 Order No. 262.

22 On June 17, 2005, the magistrate judge filed findings and
23 recommendations herein which were served on petitioner and which
24 contained notice to petitioner that any objections to the
25 findings and recommendations were to be filed within twenty days.

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1 Petitioner has filed objections to the findings and
2 recommendations.

3 In accordance with the provisions of 28 U.S.C.
4 § 636(b)(1)(C) and Local Rule 72-304, this court has conducted a
5 de novo review of this case. Having carefully reviewed the
6 entire file, the court finds the findings and recommendations to
7 be supported by the record and by proper analysis.

8 Accordingly, IT IS HEREBY ORDERED that:

9 1. The findings and recommendations filed June 17, 2005,
10 are adopted in full; and

11 2. The instant action is dismissed as duplicative of CIV S-
12 04-278 LKK GGH P.

13 DATED: July 26, 2005

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17 MORRISON C. ENGLAND, JR.
18 UNITED STATES DISTRICT JUDGE
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